



## Security Council

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### **Letter dated 3 April 2008 from the Permanent Representative of Morocco to the United Nations addressed to the Secretary-General**

On instructions from my Government, I have the honour to inform you of the following:

Ever since the question of the Sahara was referred to the United Nations, the Kingdom of Morocco has consistently taken steps and participated in initiatives to bring this regional dispute to a peaceful end and to promote the reunification and reconciliation of separated Saharan families.

However, the overall situation and increasingly deplorable living conditions of the people in the Tindouf camps in Algeria are a source of concern to the Kingdom of Morocco and to the international community as a whole, given the extent and ongoing nature of the violations of their human rights.

In view of the prolongation of this tragic situation, which has been repeatedly denounced by the Kingdom of Morocco, responsibility for the violations committed on Algerian soil must be determined.

By maintaining such camps in its territory, Algeria assumes certain responsibilities under international law and the relevant conventions to which it is a party.

Having exclusive sovereignty over its own territory, Algeria is thus accountable for all violations committed there, unless it has agreed to the exercise of authority other than its own over part of its territory. In that case, the Tindouf camps would constitute an area of lawlessness within the national territory of a United Nations Member State. Genuine clarification is needed in that regard.

That false ambiguity relating to responsibility attests to the unique status, in humanitarian terms, of the population concerned. The people living in the Tindouf camps are deprived of their human rights, including freedom of movement and access to employment and education throughout the territory of the host country, as provided for in the 1951 Convention relating to the Status of Refugees and its 1967 Protocol.

Similarly, in order to ensure that people living in the camps can enjoy the full exercise of all their rights, it is imperative that Algeria, as the host country, allow the Office of the United Nations High Commissioner for Refugees (UNHCR) free access to the camps in order to identify and register the persons living there, as well



as assess and quantify their food-related needs and determine their wishes concerning voluntary return to their country of origin.

In this context, the Kingdom of Morocco has regularly approached the executive bodies of UNHCR and the World Food Programme (WFP) in order to call for the identification and census of the people living in the camps, and has condemned the diversion of food aid. The Kingdom of Morocco has also repeatedly called on UNHCR to ascertain that aid is in fact being delivered to the target population by means of appropriate and reliable structures for the receipt, inspection, monitoring and distribution of such aid. It has consistently denounced the exploitation and manipulation of the tragic humanitarian plight of the population concerned.

These concerns, borne out by the European Anti-Fraud Office and many international non-governmental organizations, led the inspection services of UNHCR and WFP to conduct a joint fact-finding mission in 2005, which confirmed the misappropriation of humanitarian aid. Following that mission, in September 2005, UNHCR and WFP took a joint decision to revise down the estimated population living in Tindouf and requiring humanitarian assistance from 165,000 to 90,000, pending a census.

Given the worsening humanitarian situation of the population concerned, the Kingdom of Morocco is, more than ever, entitled to question Algeria's reasons for refusing to allow UNHCR to fulfil its mandate and conduct, in accordance with international standards, a reliable census of the so-called refugee population in Tindouf.

Furthermore, the non-transparent nature of those camps and the refusal of Algeria and the Frente Popular para la Liberación de Saguía el-Hamra y del Río de Oro (Frente POLISARIO) to grant access to them has revived practices of yesteryear, such as slavery, which are prohibited by the international community but subsist as a result of impunity and are encouraged by a climate of lawlessness.

I should be grateful if you would have this letter circulated to the members of the Security Council and issued as a document of the Council.

(Signed) El Mostafa Sahel  
Ambassador

Permanent Representative of the Kingdom of Morocco  
to the United Nations